

FILED

MAR-6 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *R. Rhone* DEPUTYUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

| | | | |
|----|---------------------------|---|--------------------------------------|
| 10 | UNITED STATES OF AMERICA, |) | Criminal No. 08cr0480-DMS |
| 11 | |) | |
| 11 | Plaintiff, |) | CONSENT TO RULE 11 PLEA TO A |
| 12 | |) | VIOLATION OF 8 U.S.C. SECTION |
| 12 | v. |) | 1326 (a) and (b) IN A FELONY |
| 13 | |) | CASE BEFORE UNITED STATES |
| 13 | GILBERTO PEREZ-ESPINOZA, |) | MAGISTRATE JUDGE, WAIVER OF |
| 14 | |) | PRESENTENCE REPORT AND WAIVER |
| 14 | Defendant. |) | OF OBJECTIONS FOR IMMEDIATE |
| 15 | |) | SENTENCING |

16 I have been advised by my attorney and by the United States
17 Magistrate Judge of my right to enter my plea in this case before
18 a United States District Judge. I hereby declare my intention to
19 enter a plea of guilty in the above case, and I request and
20 consent to have my plea taken by a United States Magistrate Judge
21 pursuant to Rule 11 of the Federal Rules of Criminal Procedure.

22 I understand that if my plea of guilty is taken by the
23 United States Magistrate Judge, and the Magistrate Judge
24 recommends that the plea be accepted, the assigned United States
25 District Judge will then decide whether to accept or reject any
26 plea agreement I may have with the United States and will
27 adjudicate guilt and impose sentence.

28 I further understand that due to my request for immediate

1 sentencing in this case, I am waiving the preparation of a
2 presentence report and I am also waiving any objections I may
3 have to the Magistrate Judge's findings and recommendation
4 concerning the entry of my guilty plea.

5
6
7 Dated: 3-6-08

Y. H. Perry E.

8 Defendant

9
10
11 Dated: 3-6-08

[Signature]

12 Attorney for Defendant

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14 The United States Attorney consents to have the plea in this
15 case taken by a United States Magistrate Judge pursuant to
16 Criminal Local Rule 11.2 and further waives a presentence report
17 in this case as well as any objections to the Magistrate Judge's
18 findings and recommendation concerning the entry of the guilty
19 plea.

20
21
22 Dated: 3/6/08

[Signature]

23 Assistant United States Attorney